

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

GRAYMONT (PA) INC.,

Petitioner,

v.

NATIONAL LABOR RELATIONS BOARD,

Respondent.

No. 16-1249

**PETITIONER GRAYMONT (PA) INC.'S ANSWER TO
CROSS-APPLICATION FOR ENFORCEMENT OF AN ORDER OF THE
NATIONAL LABOR RELATIONS BOARD**

Petitioner Graymont (PA) Inc. (“Graymont”), by its undersigned counsel, pursuant to Rule 15(b)(2) of the Federal Rules of Appellate Procedure files its answer to the Cross-Application for Enforcement of an Order of the National Labor Relations Board (the “Cross-Application”) filed by the Respondent National Labor Relations Board (the “NLRB”) in the above-captioned case. Graymont answers the Cross-Application as follows:

The National Labor Relations Board hereby cross-applies to the Court for enforcement of its Order issued against Graymont PA, Inc. on June 29, 2016, in Board Case No. 06-CA-126251, reported at 364 NLRB No. 37. On July 21, 2016, the Petitioner, Graymont PA,[sic] Inc., filed a petition with this Court to review the same Board order. The Board seeks enforcement of its Order in full.

Answer: Graymont admits that the NLRB seeks enforcement in full of the Order entered by the NLRB in Board Case No. 06-CA-126251, reported as 364

NLRB No. 37. Graymont also admits that it filed a petition for review of the same NLRB Order. Further answering, Graymont denies that the NLRB is entitled to the relief requested in its Cross-Application. Graymont denies the remaining allegations in the first paragraph of the Cross-Application filed by the NLRB.

The Court has jurisdiction over this cross-application pursuant to Section 10(e) and (f) of the National Labor Relations Act, as amended (29 U.S.C. § 160(e) and (f)), because the Petitioner is aggrieved by the Board's order. Venue is proper in this Circuit under Section 10(e) and (f) of the Act.

Answer: Graymont admits the allegations contained in the second paragraph of the Cross-Application filed by the NLRB.

Respectfully submitted this 31st day of August, 2016.

By: /s/ Eugene A. Boyle

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CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2016, I electronically filed the foregoing PETITIONER GRAYMONT (PA) INC.'S ANSWER TO CROSS-APPLICATION FOR ENFORCEMENT OF AN ORDER OF THE NATIONAL LABOR RELATIONS BOARD with the Clerk of the Court for the United States Court of Appeals for the D.C. Circuit by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

/s/ Eugene A. Boyle

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